

EXHIBIT 3



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Cory Spencer vs. Lunada Bay Boys

Transcript Testimony of Brant Blakeman

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Job #: 602221

Court Reporting – Videoconferencing – Trial Presentation – Nationwide Networking

Hermosa Beach - Irvine - Riverside - San Diego - Las Vegas

1 A. Yes.

2 Q. How long have you owned the Panasonic
3 videocamera?

4 A. Approximately, four years.

5 Q. Do you own any, besides video, other types of
6 camera?

7 A. No.

8 Q. Do you have a cell phone?

9 A. I have a flip phone. I guess it's a flip phone.

10 Q. How long have you had your flip phone?

11 A. Approximately, five years.

12 Q. How long have you had that phone?

13 MR. COOPER: Asked and answered. What?

14 BY MR. FRANKLIN:

15 Q. You've had that phone five years?

16 A. Approximately --

17 Q. Do you have any other type of cell phone?

18 A. No.

19 Q. Can you text on your flip phone?

20 A. Yes.

21 Q. Do you text on your flip phone?

22 A. Yes.

23 Q. What's the telephone number for that phone?

24 A. I use it so infrequently I -- 47 -- wait, wait.

25 (424) 477-7634, I think or...

1 Q. Do you know the carrier for that phone?

2 A. You mean what make it is?

3 Q. Well, sure. Why don't we start with that.

4 A. I think it's a Sony.

5 Q. Sony, you think it's a Sony?

6 A. Yeah. I use it very infrequently.

7 Q. Do you know what service provider you use, AT&T
8 or Verizon?

9 A. Not Verizon. It's provided by the City.

10 Q. It's provided by the City?

11 A. Yes. Because I'm -- yes.

12 Q. So you work for the City?

13 A. No. I'm a volunteer Citizen's Emergency
14 Response Team member.

15 Q. So when you say City, is that the City of Palos
16 Verdes Estates?

17 A. Yes.

18 Q. So does the invoice go to you and you get
19 reimbursed or does that go to the City of Palos Verdes
20 Estates?

21 A. I assume it goes to the City of Palos Verdes
22 Estates.

23 MR. COOPER: Well, now, Counsel doesn't want you to
24 assume or guess. If you have some knowledge --

25 MR. FRANKLIN: I can give --

1 MS. BELL: Sorry. My phone.

2 THE WITNESS: Right around sunset.

3 BY MR. FRANKLIN:

4 Q. And --

5 A. Hour before sunset.

6 Q. Hour before sunset.

7 An hour before sunset, would people congregate down
8 at the structure at the Point?

9 A. That's where the party was, yes.

10 Q. Okay. And would it start with -- was there
11 food, people serve food?

12 A. Mm-hm.

13 Q. Is that a yes?

14 A. I'm sorry. Yes, yes.

15 Q. You're doing great --

16 A. Yes, yes.

17 Q. Would it be people bring their own food or
18 someone host the food? Do you know?

19 A. It was a potluck.

20 Q. Potluck.

21 And then did people bring drinks?

22 A. Yes.

23 Q. Would they bring beers?

24 A. Yes.

25 Q. Anything besides beer? Hard alcohol or mostly

1 beer?

2 MR. COOPER: Objection. Overly broad. Calls for
3 speculation.

4 THE WITNESS: I think yeah, there was -- there was
5 mixed drinking there, I believe.

6 BY MR. FRANKLIN:

7 Q. Did you see any of the Eberhards at a Camplain
8 memorial?

9 A. No.

10 Q. Did you ever see anybody from -- employed by
11 Palos Verdes Estates at the memorial?

12 A. No.

13 Q. Did you ever observe people pushing firewood off
14 the cliff at those memorials to get firewood down?

15 A. Yes.

16 Q. Did that happen regularly or?

17 MR. COOPER: Objection. Overly broad. Calls for
18 speculation.

19 THE WITNESS: No. That did not happen regularly.

20 BY MR. FRANKLIN:

21 Q. Did you see that on more than one occasion?

22 A. Maybe two occasions.

23 Q. Who -- do you remember who would bring the
24 firewood?

25 MR. COOPER: Objection. Overly broad.

1 THE WITNESS: Various people.

2 BY MR. FRANKLIN:

3 Q. As you sit here today, can you remember anybody
4 who brought firewood to one of those events?

5 A. I brought some.

6 Q. Would -- when you brought firewood, would you
7 push it off a cliff?

8 A. Yes.

9 Q. Yes?

10 A. Yes.

11 Q. Was it -- did you wrap -- was it palletized or
12 did you wrap it or how --

13 A. In boxes.

14 Q. In boxes.

15 During that eight memorials that you attended, do
16 you recall Cap referring to the people that surf there as
17 the Lunada fraternity?

18 MR. COOPER: Objection. Overly broad. Calls for
19 speculation.

20 THE WITNESS: I don't remember him referring to it
21 as --

22 BY MR. FRANKLIN:

23 Q. Do you ever remember him referring to it as the
24 Lunada brotherhood?

25 MR. COOPER: Same objection --

1 Q. How about in terms of sharing photographs of
2 surfers on waves at Lunada Bay? Is there an etiquette
3 that you're not supposed to share photographs of people
4 surfing at Lunada Bay?

5 A. Anyone can take pictures. Whoever wants to take
6 pictures can. I mean, it's not --

7 Q. Is there a rule that you shouldn't share
8 photographs with magazines at Lunada Bay?

9 A. Not that I'm aware of.

10 Q. Have you ever heard of that?

11 A. No.

12 Q. Have you ever heard of people blocking either
13 the Middle trail or the Point trail to prevent people
14 from walking out?

15 A. No.

16 Q. Have you ever heard of someone standing at the
17 stop of either the Middle trail or the Point trail
18 questioning why they're there, in terms of using the
19 beach at Lunada Bay?

20 A. I'm aware of the Peter McCollum incident.

21 Q. And where --

22 A. I was not there. I saw it on video and all that
23 stuff. I was -- yeah.

24 Q. What do know about the Peter McCollum incident?

25 A. Just what I've seen on video.

1 Palos Verdes Estates Police never talked to you about
2 that day?

3 A. They asked me -- they actually, they did. They
4 came over to my house. I didn't go down there for a --
5 for a -- for an interrogation or whatever.

6 They came over to my house. And he asked me if I
7 poured beer on her and exposed himself and those are both
8 no, no.

9 Q. You didn't see it or you don't know?

10 MR. COOPER: Misstates his testimony.

11 THE WITNESS: He did not do that. It's just, that's
12 false.

13 BY MR. FRANKLIN:

14 Q. Okay. So you were observing Mr. Johnston the
15 whole time you were on the patio?

16 A. Pretty much. Not the whole time, I mean -- I
17 was taking pictures of the waves and -- yeah.

18 Q. Uh-huh. Who came over to your house?

19 Do you know what officer?

20 A. Yes.

21 Q. Who?

22 A. Steve Barber.

23 Q. How long did Mr. Barber spend at your house?

24 A. Five minutes.

25 Q. And I think Mr. Barber is one of the police

1 officers you said you knew?

2 A. Yes.

3 Q. And how long have you known Mr. Barber?

4 A. Eight years, maybe.

5 Q. You said you knew him from the community?

6 A. Yes.

7 Q. Did you know him from your work in your
8 volunteer work?

9 A. Not through that, no.

10 Q. How did you know him?

11 A. Just the community. He's a really good officer.
12 He keeps in touch with the community, you know. And I
13 know -- I know a lot of police officers, PV police
14 officers.

15 Q. Besides Mr. Barber and Mr. Eberhard, who are the
16 other -- you said you knew lots of PV police officers?

17 A. I know Ken Eckhart (Phonetic).

18 Q. Ken Eckhart?

19 A. Yeah.

20 Q. How long have you known Mr. Eckhart?

21 A. 10, 12 years.

22 Q. So Mr. Barber, Mr. Eberhard, Mr. Eckhart. Who
23 else do you know?

24 A. Rick Delmont (Phonetic), who's no longer a
25 police officer there. He's retired.

Brant Blakeman

Cory Spencer vs. Lunada Bay Boys

1 I, Ayu Sasao, CSR 14093, do hereby declare:

2 That, prior to being examined, the witness named in
3 the foregoing deposition was by me duly sworn pursuant to
4 Section 30(f)(1) of the Federal Rules of Civil Procedure
and the deposition is a true record of the testimony
given by the witness.

5 That said deposition was taken down by me in
6 shorthand at the time and place therein named and
thereafter reduced to text under my direction.

7 That the witness was requested to review the
8 transcript and make any changes to the
9 transcript as a result of that review
pursuant to Section 30(e) of the Federal
Rules of Civil Procedure.

10 No changes have been provided by the witness
11 during the period allowed.

12 The changes made by the witness are appended
to the transcript.

13 No request was made that the transcript be
14 reviewed pursuant to Section 30(e) of the
Federal Rules of Civil Procedure.

15 I further declare that I have no interest in the
16 event of the action.

17 I declare under penalty of perjury under the laws of
the United States of America that the foregoing is true
and correct.

18 WITNESS my hand this 7th day of

19 December, 2016.

20
21 Ayu Sasao
22 Ayu Sasao, CSR 14093
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